

ORDINANCE NO. 2018-14

INTRODUCED BY: COUNCILMAN MARK WISEMAN

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1250.02 OF THE PLANNING AND ZONING CODE ENTITLED "PERMITTED USES" TO PERMIT CHICKEN COOPS IN A U-1 DISTRICT UPON ISSUANCE OF A SPECIAL USE PERMIT AND DECLARING AN EMERGENCY.

WHEREAS, the City of University Heights recognizes that residents desire locally produced food; and

WHEREAS, the raising and keeping of chickens provides residents with a locally produced food source in the form of eggs; and

WHEREAS, City Council desires to amend the zoning ordinances to allow for chicken coops as a permitted use in a U-1 District subject to the issuance of a special use permit, in order to allow most residents the opportunity to raise and keep chickens.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, OHIO, THAT:

Section 1. Council hereby amends Codified Ordinance Section 1250.02 entitled "Permitted Uses" to allow for chicken coops as a permitted use in a U-1 District subject to the issuance of a special use permit. Codified Ordinance Section 1250.02 shall read in its entirety as follows.

1250.02 PERMITTED USES

Permitted uses in One-Family Residence Districts are:

- (a) One-family dwellings.
- (b) Buildings, structures and grounds owned and operated by a board of education or by a library board.
- (c) Home occupations solely to the extent defined in Section 1240.15 or permitted under Section 1280.11.
- (d) The following signs are permitted in any residential district, providing such signs are back from the street at least ten feet:
 - (1) Bulletin boards aggregating not over twelve square feet in area for schools or churches;
 - (2) A sign not over two square feet in area, containing the name or address of any occupant of the premises, or both the name and address;
 - (3) One sign, not over 12 square feet in area on the site of a building under construction in conformity to this Zoning Code and only while such building is under construction, bearing the names of any contractor or contractors in such construction;
 - (4) A "For Rent" or "Vacancy" sign inside windows not more than one square foot in area;
 - (5) Such signs as shall be authorized by Section 808.06(h) of the Codified Ordinances and Section 1266.11 of the Codified Ordinances.
- (e) Planned multi-family residential areas, when contiguous to U-4, U-6, U-7, U-8, or U-9 Districts, subject to the standards and criteria of Section 1280.07.
- (f) Planned one-family residential areas, subject to the standards and criteria of Section 1280.08.
- (g) Public, semi-public and other uses permitted upon special permits subject to the standards and criteria of Chapter 1274.
- (h) Accessory buildings and accessory uses, including space on the premises for the keeping of two cars in the accessory building, and may have three cars, provided space does not exceed more than 35% of the rear yard area. A greater number of car spaces may be provided in such accessory building, if the area of the lot contains at least 3,000 square feet for each car space and does not exceed 35% of the rear yard.

(i) Keeping of chickens and chicken coops or chicken runs in a U-1 District, upon issuance by the Building Department of a special use permit subject to the criteria of Codified Ordinance Section 1478.251. The keeping of chickens and/or chicken coops or chicken runs shall be prohibited in any zoning district other than U-1.

Section 2. Existing Codified Ordinance Section 1250.02 entitled "Permitted Uses" is hereby repealed.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance of all legal requirements.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, the emergency being the need to allow for the issuance of a special use permit in a time frame that will allow residents to purchase chicks and thereby take advantage of these regulations in the current year; wherefore, this ordinance shall be in full force and effect from and immediately after its adoption and approval by the Mayor.

CITY OF UNIVERSITY HEIGHTS, OHIO


MICHAEL DYLAN BRENNAN, MAYOR

FIRST READING: March 5, 2018

PASSED: April 2, 2018

ATTEST:


KELLY M. THOMAS, CLERK OF COUNCIL

APPROVED AS TO FORM:


LUKE F. MCCONVILLE, LAW DIRECTOR